

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MARCH 7, 2007**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

VARIANCE

VAR-19208 - PUBLIC HEARING - APPLICANT: LANDBARON INVESTMENTS - OWNER: MONTECITO IMAGING LLC - Request for a Variance TO ALLOW A 196.5 FOOT HIGH OFFICE BUILDING 382 FEET FROM RESIDENTIAL PROPERTY WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 590 FEET on 3.27 acres located at the southwest corner of Deer Springs Way and Riley Street (APN: 125-20-710-006), T-C (Town Center) Zone [Mixed-Use Commercial - Montecito Town Center Special Land Use Designation], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**1**

**City Council Meeting**

**1**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**

**1**

**City Council Meeting**

**0**

**RECOMMENDATION:**

Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letter
5. Revised Justification Letter
6. Protest letter by Thomas A. Garcia
7. Backup referenced from the 02-08-07 Planning Commission Meeting Item 26

Motion made by STEVEN D. ROSS to Approve Subject to Conditions and adding the following condition as read for the record:

A. Approval shall be for a 10-story, 168-foot building, with a residential adjacency setback of 385 feet where 456 feet are required.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LARRY BROWN, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

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## Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 125 and 126.

ROBERT GENZER, Genzer Consulting, and KRISTEN NEUMAN, Aptus Architecture, 1200 South Fourth Street, appeared on behalf of the applicant, RANDY BLACK, JR., 5275 South Durango Drive. MR. GENZER accepted all conditions. At the Planning Commission meeting, they agreed to reduce the building from 12 stories and 196 feet to 10 stories and 168 feet. The proposed project is located in Montecito area and covered under the Montecito Development Agreement.

COUNCILMAN ROSS was pleased for addressing COMMISSIONER DUNNAM'S concerns raised at the Planning Commission meeting. The neighbors also had concerns about the hours of operation.

MR. BLACK was amenable to restricting the hours of operation from 6:00 a.m. to 6:00 p.m. COUNCILMAN ROSS stated he does not want to restrict anyone from working late at their medical office. The neighborhood is concerned about the traffic at certain hours. He verified with MARGO WHEELER, Director of Planning and Development, that there is no hours of operation standard set forth for office or medical professional buildings. He recommended the hours of 6:00 a.m. to 9:00 p.m. for public access. COUNCILMAN ROSS also expressed a concern about drug and alcohol rehabilitation facilities adjacent to a residential neighborhood. MR. BLACK replied that is not their intention. They are looking towards a higher-end medical facility because of its closeness to the hospital.

MR. BLACK confirmed with COUNCILMAN ROSS that the parking garage will be screened. MR. GENZER added that they agreed to increase the landscaping along Riley Street with 36-inch box trees, 20-feet on center. He has spoken with the architect regarding screening along the wall so that lighting does not spill over into the neighborhood. MR. BLACK indicated that a card key access with gate entry tied to the hours of operation will provide security for the parking lot and parking garage. In addition, a security officer can be provided if necessary.

MS. WHEELER read into the record additional conditions for Items 125 and 126. Both MR. GENZER and MR. BLACK agreed to the amended and additional conditions.

MAYOR GOODMAN declared the Public Hearing closed for Items 125 and 126.